

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH

Commercial Complex (BDA),
Indiranagar
Bangalore - 560 038

Dated : **3 MAR 1989**

APPLICATION NO (s) 54 & 55 /89(F)
W.P. NO (s) _____

Applicant (s) Respondent (s)

Shri B. Subbaraya & anr v/s The Accountant General (A&E), Karnataka, Bangalore
To & 2 Ors

1. Shri B. Subbaraya G.I.P.A. Quarters Bull Temple Road N.R. Colony Bangalore - 560 019	5. The Comptroller & Auditor General of India No. 10, Bahadur Shah Zafar Marg New Delhi - 110 002
2. Shri S.N. Srinivasan 88, A.G.'s Office Colony H.A. Farm (Post) Anandnagar Bangalore - 560 024	6. The Secretary Ministry of Finance Department of Expenditure New Delhi - 110 001
3. Dr M.S. Nagaraja Advocate 35 (Above Hotel Swagath) 1st Main, Gandhinagar Bangalore - 560 009	7. Shri M. Vasudeva Rao Central Govt. Stng Counsel High Court Building Bangalore - 560 001
4. The Accountant General (Accounts & Entitlements) Karnataka Bangalore - 560 001	

Subject : SENDING COPIES OF ORDER PASSED BY THE BENCH

Please find enclosed herewith a copy of ORDER ~~ORDER/EXERCISE OF ORDER~~
passed by this Tribunal in the above said application(s) on 1-3-89.

*Received
1-3-89
3-3-89*

dc

Dr. Venkatesh
DEPUTY REGISTRAR
(JUDICIAL)

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH: BANGALORE

DATED THIS THE FIRST DAY OF MARCH, 1989

Present: Hon'ble Shri Justice K.S. Puttaswamy .. Vice Chairman
Hon'ble Shri L.H.A. Rego .. Member(A)

APPLICATION NOS. 54 & 55/1989

1. Shri B. Subba Raya
Aged 59 years
S/o. Shri B.K. Srinivasaiah
G.I.P.A. Quarters
Bull Temple Road
N.R. Colony
Bangalore - 560 019.

2. Shri S.N. Srinivasan
Aged 59 years
S/o. Sri S.R. Narasimha Iyengar
88, A.G.'s Office Colony
H.A. Farm (Post)
Anandnagar
Bangalore - 560 024.

(Dr. M.S. Nagaraja, Advocate)

.. Applicants

Vs.

1. The Accountant General
(Accounts & Entitlement)
Karnataka, Bangalore - 560 001.

2. The Comptroller & Auditor
General of India
No.10, Bahadur Shah Jaffar Marg
New Delhi - 110 002.

3. The Secretary
Government of India
Ministry of Finance
(Department of Expenditure)
New Delhi - 110 001.

.. Respondents

(Shri M. Vasueva Rao, A.C.G.S.C.)



These applications came up for
hearing before this Tribunal today. Hon'ble Vice
Chairman made the following:

O R D E R

These are applications made by the
applicants under Section 19 of the Administrative
Tribunals Act, 1985 (Act).

2. The facts of these cases and the questions of law that arise for determination in these cases are in all fours to M. NANJUNDA SWAMY AND OTHERS V. ACCOUNTANT GENERAL AND OTHERS 1987(3) SLJ (CAT) 531. Even the fact that the respondents have filed special leave petitions against the orders made in Nanjunda Swamy and other cases, does not justify us to decline to follow the principles in Nanjundaswamy's case.

3. For the very reasons stated in Nanjunda Swamy's case, we make the following orders and directions:

(i) We declare that the applicants are entitled to the revised pay scales extended by the Government of India in its Order No. F.5(32)-E.III/86-pt.II dated 12.6.1987, from 1.1.1986.

(ii) We direct the respondents to fix the pay scales of the applicants in the revised pay scales in terms of the order made by Government of India on 12.6.1987, from 1.1.1986 and extend all such consequential monetary benefits flowing from the same from that date.

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4. The applications are disposed of in the above terms. But in the circumstances of the case, we direct the parties to bear their own costs.

Sd/-

Sd/-

VICE CHAIRMAN 19th MEMBER (A) 1.3.1989

1.3.1989

TRUE COPY

mr.



P. V. Venkatesh Rao
DEPUTY REGISTRAR (JDL)
CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE